

REMARKS

Claims 1-21 are pending in the application. Claims 1, 9 and 19 are independent, and have been amended.

Entry of this amendment is requested under 37 CFR 1.116 as it places the claims in better form for consideration on appeal.

In paragraph 1 of the Office Action, the Examiner stated that there is insufficient antecedent basis for the “by adaptation means” limitation in claims 1, 9 and 19. Each of these claims has been amended to eliminate the recitation of “by adaptation means”, curing the Examiner’s concern.

In paragraph 2 of the Office Action, the Examiner has rejected claims 1-21 under 35 U.S.C. § 103(a) as being unpatentable over U.S. Patent No. 6,247,048 (Greer) in view of U.S. Patent No. 6,122,670 (Bennett) and U.S. Patent No. 6,244,758 (Solymar).

Claim 1 is directed to a method of communicating with a peripheral computer system. Fig. 14 illustrates the method of claim 1 and is reproduced below for convenience.

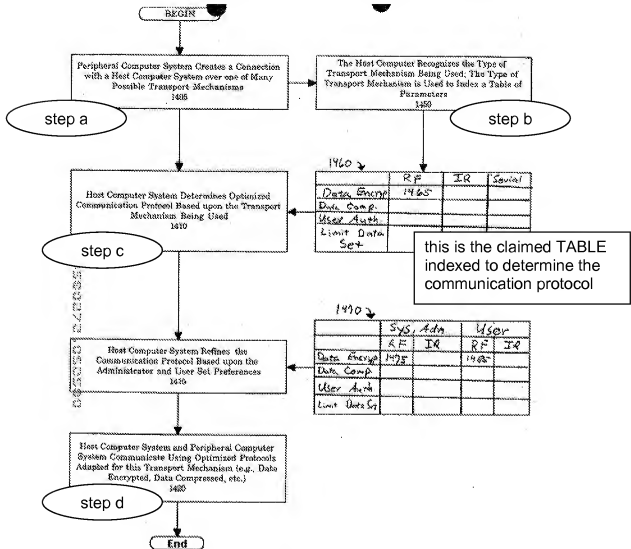


FIGURE 14

At step a), a two-way communication link is created from said peripheral computer system with a host computer system using one transport mechanism of a plurality of possible transport mechanisms.

At step b), the host computer system recognizes the transport mechanism used in step a) by adaptation software executing on said host computer system.

At step c), the host computer system determines a communication protocol from a plurality of possible communication protocols based on its recognition of the transport mechanism, wherein the determining comprises indexing a table with the transport mechanism recognized in step b) to determine at least one parameter in the communication protocol, and

wherein the table comprises parameters that are designed to improve communication based on the transport mechanism.

At step d), the host computer system communicates information to the peripheral computer system based on the communication protocol determined at step c).

The claimed invention is advantageous as it has the host system adapt to the transport mechanism being used between itself and the peripheral computer system by adjusting the communication parameters based on which one of a variety of transport mechanisms is being used on the communication link between the host system and the peripheral computer system (page 5, lines 1-10), thereby making communication faster.

Greer discloses a proxy server that transcodes from one of a plurality of character sets to a predefined character set recognized by a hand-held device. Fig. 3 of Greer is reproduced below.

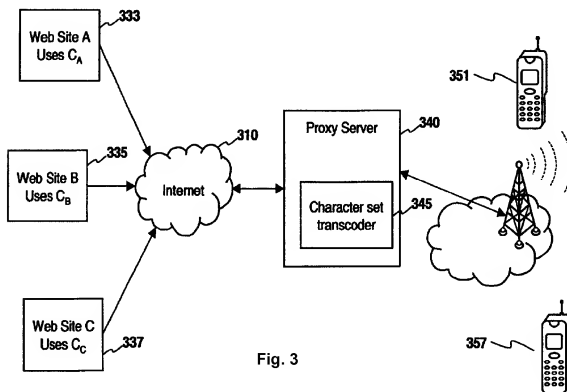


Fig. 3

Greer's character set transcoding is simply translating a character from one character set into another character set, as explained at column 1, lines 40-54,

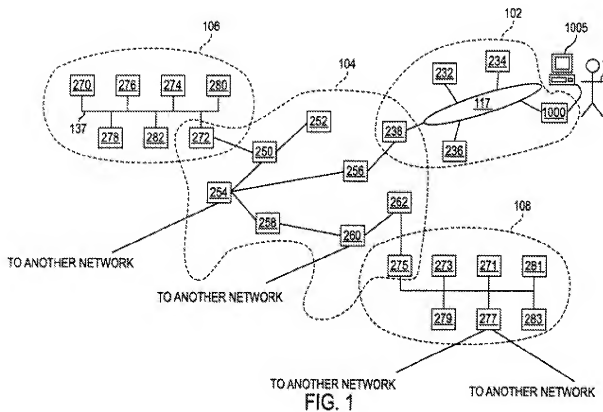
Many networked computers, however, use different character character sets. *For example, most web servers in the United States use the US-ASCII character set to represent English while web servers in Japan often use Shift-JIS (Shift-JIS ISO-2022-JP) or UNICODE to represent Japanese.* Many web browsers, such as Netscape Navigator by Netscape Corporation or Internet Explorer by Microsoft Corporation provide utilities to perform **transcoding of character sets, when a client device and a server device communicate in different character sets.** However, the client device, such as a desktop personal computer, equipped with a web browser has sufficient computing resources, such as a fast processor and ample memory, to perform the transcoding locally without sacrificing performance noticeably. (emphasis added)

Greer differs from claim 1 as follows:

- claim 1 calls for a two-way communication link between the peripheral computer system and the host computer system **using one transport mechanism of a plurality of possible transport mechanisms**, whereas Greer is entirely silent on transport mechanisms;
- claim 1 calls for the host computer system to **recognize the transport mechanism by adaptation software** executing thereon, whereas Greer lacks disclosure of adaptation software to recognize which of a plurality of transport mechanisms is being used;
- claim 1 calls for the host computer system to **determine a communication protocol** from a plurality of possible communication protocols based on its recognition of the transport mechanism **by indexing a table with the transport mechanism to determine at least one parameter in the communication protocol**, whereas Greer is silent on choosing a communication protocol, and fails to disclose a table that can be indexed by a transport mechanism to yield a communication protocol with at least one determined parameter; and
- claim 1 calls for the host computer system to communicate information to the peripheral computer system **based on the determined communication protocol**, whereas Greer is silent on choosing a communication protocol for communication.

The Examiner cited Bennett for its disclosure of a protocol logic subsystem that verifies that the IP header checksum result is correct (Office Action, page 3, middle). The relevance of this to claim 1 is not understood.

Bennett relates to reliable communication protocol use. Fig. 1 of Bennett is reproduced below.



Bennett discloses protocol translation at page 11, lines 28-53. In particular, assume the user of computer 1000 (upper right) wishes to retrieve information stored on computer 276 (upper left). Computer 1000 is part of LAN 102 that includes computer 272. Computer 276 is part of LAN 106 that includes computer 238. Computers 272 and 238 are also part of WAN 104. Bennett explains that computers 272 and 238 translate between the Ethernet protocol used on their respective LAN and the TCP/IP protocol used on WAN 104.

Bennett does not cure the deficiencies of Greer's disclosure relative to claim 1. Specifically, Bennett lacks disclosure of a plurality of transport mechanisms, adaptation software for recognizing which of the transport mechanisms is being used, and a communication protocol determined by indexing a table with the recognized transport protocol.

In fact, Bennett teaches away from invention of claim 1, because Bennett teaches choosing a communication protocol based on which network a computer is accessible through

(LAN or WAN), whereas claim 1 calls for choosing a communication protocol based on which of a plurality of transport mechanisms is in use, with at least one parameter of the communication protocol determined from a table.

Solymar was cited for its disclosure of alternatively or simultaneously connecting a client computer to the Internet through a private network (Office Action, page 3, bottom). The relevance of this is not understood.

Solymar does not cure the deficiencies of Greer's disclosure relative to claim 1, as specifically set forth above.

Accordingly, claim 1 is patentable over any proper combination of Greer, Bennett and Solymar. Claims 2-8, in depending from claim 1, incorporate all of its features and are patentable over the cited references for the reasons discussed above.

Claim 9 is patentably distinguishable from any proper combination of the cited references for similar reasons as discussed with respect to claim 1. Claims 10-18, in depending from claim 9, incorporate all of its features and are patentable over the cited references for the reasons discussed above.

Claim 19 is patentably distinguishable from any proper combination of the cited references for similar reasons as discussed with respect to claim 1. Claims 20-21, in depending from claim 9, incorporate all of its features and are patentable over the cited references for the reasons discussed above.

Withdrawal of the rejection of claims 1-21 under 35 USC 103 is requested.

A Notice of Allowance is solicited. The Examiner is invited to contact the undersigned to discuss any issues regarding this case.

Respectfully submitted,

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